

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

FILED
NOV 21 2006
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

URIEL CUIEL,
a/k/a "Fernando,"
a/k/a "Uriel Pedroza,"

Defendant.

CR 06-40059

ORDER

Pending before the Court is Defendant's Motion for Continuance, Doc. 12, in which Defendant requests additional time to consider a possible plea agreement, and requests the Court set a later date for the plea deadline and the trial date, and the Government has no objection to a continuance, and after consideration of the file in this matter, the Court finds that failure to grant the continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and further that failure to grant the continuance would deny the public interest in bringing this case to trial in an orderly fashion. Further, the Court finds that the ends of justice served by continuing this trial outweigh the best interests of the public and the Defendant in a speedy trial. For all of those reasons as well as those set forth in the Motion,

IT IS ORDERED:

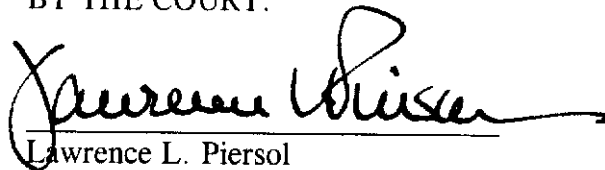
1. That Defendant Uriel Cuiel's Motion for Continuance, Doc. 12, is granted.
2. That January 16, 2007, is hereby set as the deadline for submission to the Court of any proposed plea agreement.
3. That all motions in limine shall be in writing and filed, together with

proposed instructions, with the Court ten (10) working days before trial.

4. That the jury trial herein for Defendants shall commence in Pierre, South Dakota, on Tuesday, February 13, 2007, with counsel to be present for motions in limine at 9:00 A.M., and with the jury to report at 9:30 A.M.
5. That the period of delay resulting from such continuance is excluded in computing the time within which the trial of the offense for the Defendants must commence, as the Court finds that the ends of justice served by taking such action outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

Dated this 20th day of November, 2006.

BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Sherry Margulies
DEPUTY